

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING APPLICATION UNDER 37 C.F.R. 1.53(b)

WITHOUT FILING FEE AND/OR WITHOUT EXECUTED INVENTOR'S DECLARATION

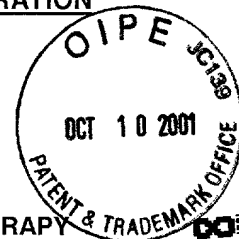
10/10/01

Assistant Commissioner for Patents  
Washington, DC 20231

Atty. Dkt. 2370-81

Date: October 10, 2001

Sir:



This is a request for filing a new PATENT APPLICATION under Rule 53(b) entitled:

**USE OF NEURO-DERIVED FETAL CELL LINES FOR TRANSPLANTATION THERAPY**

without a filing fee and/or without an executed inventor's oath/declaration.

This application is made by the below identified inventor(s). Attached hereto are the following papers:

☐ Newly executed Declaration, ☒ Copy of Declaration from prior application, ☒ Abstract

25 pages of specification and claims (including 23 numbered claims), and

10 sheets of accompanying drawing/s.

☐ Record the attached assignment and return to the undersigned.

☐ Attached is a Power of Attorney.

☐ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

jc986 U.S. PTO  
09/973198  
10/10/01

**Application Number**

**Country**

**Day/Month/Year Filed**

, respectively, the entire content of which is hereby incorporated by reference in this application..

☐ Certified copy(ies) of foreign application(s) is/are attached.

☐ Certified copy(ies) filed on \_\_\_\_\_ in prior application no. \_\_\_\_\_ filed \_\_\_\_\_

Please amend the specification by inserting the following paragraph before the first line: --This application claims the benefit of Provisional Application No. \_\_\_\_\_, filed \_\_\_\_\_, the entire content of which is hereby incorporated by reference in this application.--

☒ Please amend the specification by inserting the following paragraph before the first line: --This application is a ☒ continuation/☐ division/☐ continuation-in-part of Application No. 09/426,126, filed October 25, 1999, abandoned, which is a continuation of Serial No. 08/779,661, filed January 7, 1997, abandoned, which is a continuation of Serial No. 08/459,136, filed June 2, 1995, PAT 5,690,927, which is a continuation of Serial No. 08/046,527, filed April 13, 1993, abandoned, the entire content of which is hereby incorporated by reference in this application.--

Petition filed in prior application to extend its life to insure co-pendency.

The prior application is assigned to Pro-Virus, Inc.

It is hereby requested that the Examiner consider the art cited in the above parent application(s) by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached, but pursuant to Rule 98(d) copies are not required.

Applicant claims "small entity" status. ☐ "Small entity" statement attached.

Please enter the attached and/or below preliminary amendment **prior** to calculation of filing fee:

☐ Also attached: ☐ Information Disclosure Statement; ☐ Non-Publication Request; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☐ Other:

1. Inventor: Eugene O. MAJOR USA  
(first) MI (last) (citizenship)  
Residence: (city) \_\_\_\_\_ (state/country) \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
(Zip Code) \_\_\_\_\_

2. Inventor: Carlo S. TORNATORE USA  
(first) MI (last) (citizenship)  
Residence: (city) \_\_\_\_\_ (state/country) \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
(Zip Code) \_\_\_\_\_

☒ See attached sheet(s) for additional inventor(s) information!!

Address all future communications to NIXON & VANDERHYE P.C., 1100 North Glebe Road, 8<sup>th</sup> Floor, Arlington, VA 22201.

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NIXON & VANDERHYE P.C.  
By Atty: Leonard C. Mitchard, Reg. No. 29,009

Signature: \_\_\_\_\_

Inventor: \_\_\_\_\_ (first) \_\_\_\_\_ MI \_\_\_\_\_ (last) \_\_\_\_\_ (citizenship)  
Residence: (city) \_\_\_\_\_ (state/country) \_\_\_\_\_  
Mailing Address: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
(Zip Code) \_\_\_\_\_

6-10-68